

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	CONSENT ORDER OF
	)	
Certificate of Herman M. Marsh	)	VOLUNTARY SURRENDER
	)	
Certificate # 196525	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 7, 2004. On December 11, 2001, the South Carolina Department of Education (Department) issued Herman M. Marsh an Order of Summary Suspension of his South Carolina educator certificate number 196525 on the grounds of unprofessional conduct. Mr. Marsh has now agreed, through his attorney, Verdell Barr, Esq., to the voluntary surrender of his certificate. The agreement gives Mr. Marsh the right to apply for the reinstatement of his certificate after three years from the date of this order. If he chooses to apply for reinstatement, Mr. Marsh must meet all current certification requirements. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Marsh's certificate upon the terms set forth above.

Herman  
M. Marsh  
#196525

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Date

### FINDINGS OF FACT

Mr. Marsh was last employed in a South Carolina school district during the 2000-2001 school year as a band director at Denmark-Olar High School, Bamberg County School District Two. On June 7, 2001, it was reported to the Denmark police department that Mr. Marsh had sexually assaulted a minor student in the school gymnasium after school. To date, no criminal charges have been brought against Mr. Marsh.

### CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004). S.C. Code Ann. § 59-25-160 (2004) (4). The State Board finds that there is sufficient evidence presented to support its decision to accept the voluntary surrender of Mr. Marsh’s certificate # 196525, effective December 7, 2004, upon the conditions set forth above.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

December 7, 2004

I, Herman M. Marsh, SC Teaching Certificate # 196525, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, December 7, 2004, for approval.

/S/ Herman Marsh

Herman M. Marsh

12/03/04

Date